

## Message Text

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ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 OES-07 DLOS-09 COME-00 EB-07

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 FEA-01

ERDA-07 AID-05 CEA-01 EPG-02 FPC-01 INT-05 OMB-01

STR-04 TRSE-00 ACDA-10 /139 W

-----320002Z 007196 /70

R 311607Z MAY 77

FM AMEMBASSY TUNIS

TO SECSTATE WASHDC 6944

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY TRIPOLI

AMEMBASSY VALLETTA

UNCLAS TUNIS 3816

E.O. 11652: N/A

TAGS: PFOR, PLOS, ENRG, TS, LY

SUBJECT: GOT STATEMENT ON CONTINENTAL SHELF DISPUTE

REF: TUNIS 3815

1. THE TUNISIAN FOREIGN MINISTRY ISSUED A DTQOWRATION MAY 30 ON THE CONTINENTAL SHELF DISPUTE WHICH SUMMARIZES ITS POSITION VIS-A-VIS STATEMENTS MADE BY AN OFFICIAL LIBYAN SPOKESMAN. GOT COUNTERED LIBYAN STATEMENT THAT DISPUTE WAS "ARTIFICIAL" AND THAT NO MILITARY FORCE HAD BEEN EMPLOYED BY LIBYA. MINISTRY POINTED OUT THAT THE "DRILLING PLATFORM" (J.W. BATES) IS OPERATING IN AN AREA CLAIMED BY TUNISIA AND THIS FACT CANNOT BE DENIED BY COMMUNIQUE AND DECLARATIONS. MINISTRY ALSO POINTED OUT THAT THE LIBYAN ESCORT VESSELS "ROUBROUK" AND "AKRAM" AND THE SUBMARINE "BADR" ARE KEEPING WATCH OVER THE "J.W. BATES." REPLYING TO LIBYAN STATEMENT THAT QUESTIONS OF FRONTIERS AND THE CONTINENTAL SHELF CANNOT BE SETTLED FROM "NIGHT TO DAY", GOT SAID THAT IT HAS BEEN SEEKING NEGOTIATED SETTLEMENT

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WITH LIBYA SINCE 1968 IN ORDER TO PRESERVE FRIENDSHIP AND AVOID CONFRONTATION AND DISCORD. TUNISIANS CITED RECENT MEETING OF FOREIGN MINISTER CHATTY WITH COL. QADHAFI AND THE LIBYAN'S EX-PRESSION OF HIS DESIRE TO REACH A SETTLEMENT OF THE CONFLICT VIA NEGOTIATION, ARBITRATION OR MEDIATION. IT RECALLED AS WELL AGREEMENT SIGNED BY LIBYAN GOVERNMENT AND TUNISIA ON AUGUST 24, 1976, WHICH COMMITTED THE TWO COUNTRIES TO SEEK ARBITRATION OF

THE DISPUTE AND TO EXPLOIT THE REGION JOINTLY. GOT NOTED THAT

DESPITE TUNISIA'S EFFORTS TO PUT THIS AGREEMENT INTO EFFECT, LIBYA NEVER SHOWED ANY DISPOSITION TO CARRY OUT EITHER OF THE TWO TERMS OF THE AGREEMENT.

2. GOT DECLARATION ON CONTINENTAL SHELF DISPUTE NOTED LIBYAN STATEMENT THAT THE PETROLEUM RESOURCES IN THE DISPUTED REGION SHOULD BE EXPLOITED BUT ASSERTED THAT THIS COULD NOT BE DONE WITHOUT TAKING INTO ACCOUNT THE RIGHTS OF LAWFUL OWNERS. GOT POINTED OUT AS WELL THAT LIBYA HAS NO NEED FOR THE PETROLEUM IN THE REGION. THE FACT THAT A DISPUTE EXISTS IN THE REGION, THE GOT WENT ON, PRESUPPOSES AN ABSTENTION FROM ANY EXPLORATORY OR DEVELOPMENT/PRODUCTION OPERATION WHILE WAITING FOR A SOLUTION.

3. GOT REJECTED ANY POLICY OF "FAITS ACCOMPLIS" THAT DOES NOT FAVOR AMICABLE SETTLEMENT OF DISPUTES. IT REITERATED ITS POSITION THAT THE OBJECT OF NEGOTIATION OR ARBITRATION IS TO FIX BOUNDARIES IN CONFORMITY WITH LAW AND INTERNATIONAL USAGE SO THAT EACH PARTY CAN BENEFIT FROM ITS RIGHTS. WERE LIBYA MOTIVATED BY A WILL TO REACH AN ARBITRATED SOLUTION AS IS TUNISIA, SAID THE GOT, THEN EACH PARTY SHOULD DESIGNATE AN ARBITRATOR. AND, "AS FOR THE DRILLING PLATFORM THAT IS ON ITS CONTINENTAL SHELF," THE GOT FINISHED, TUNISIA "EXPRESSES ITS FIRM DETERMINATION TO DEFEND AND SAFEGUARD ITS RIGHTS BY ALL THE MEANS GIVEN IT IN THE CHARTER OF THE UNITED NATIONS AND IN INTERNATIONAL LAW."  
MULCAHY

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## Message Attributes

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**Disposition Approved on Date:**  
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**Original Handling Restrictions:** n/a  
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**Reference:** 77 TUNIS 3815  
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**Review Withdrawn Fields:** n/a  
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**Subject:** GOT STATEMENT ON CONTINENTAL SHELF DISPUTE  
**TAGS:** PFOR, PLOS, ENRG, TS, LY  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009